

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

HOLOGIC, INC., and CYTYC SURGICAL  
PRODUCTS, LLC,

Plaintiffs,

v.

MINERVA SURGICAL, INC.,

Defendant.

1:15CV1031

VERDICT

**We, the jury, find by a preponderance of evidence, as follows:**

**I. PATENT DAMAGES**

- As instructing in Instructions Nos. 13 to 22, we find Hologic is entitled damages for: (answer YES to only one)

- X Lost profits (Answer question I.a)

OR

- \_\_\_\_\_ Only a Reasonable Royalty (Answer question I.b)

I.a If you find that Hologic is entitled to lost profits answer the following:

- For lost profits of \$4,200,529.75 and,
- For royalties for sales not included in lost profits \$587,138.48, a royalty of 8 %

I.b If you find that Hologic is entitled to only a Reasonable Royalty:

- For a reasonable royalty \$\_\_\_\_\_, a royalty of \_\_\_\_%.

## II. WILLFUL INFRINGEMENT

- As instructed in Instruction No. 23, we find Minerva's infringement of the '348 patent was

Willful

Not willful

## III. MINERVA'S COUNTERCLAIMS

### A. Breach of Contract

- On Minerva's claim for breach of contract, as instructed in Instruction No. 35, we find in favor of

Minerva or  Hologic

### B. Lanham Act

- On Minerva's claim of false advertising under the Lanham Act, as instructed in Instruction No. 33, we find in favor of

Minerva or  Hologic

If you found in favor of Hologic your deliberations are at an end.

If you found in favor of Minerva, answer the following:

- What is the amount of money required to compensate Minerva for any actual injury?

\$ \_\_\_\_\_

- What is the amount of additional profits Hologic gained as a result of the false advertising?

\$ \_\_\_\_\_

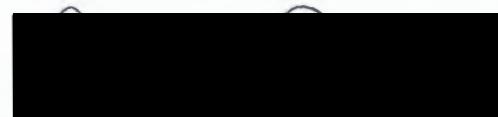
- o Was Hologic's conduct willful?

Yes

No

Your deliberations are at an end. Please have your foreperson sign and date this form.

DATED this 27 day of July, 2018.



FOREPERSON

JURORS:

